

Restriction/Election Requirement

The Office has required restriction to one of the following inventions:

Group I: Claims 1, 3-5, 10-53 and 55, drawn to compositions and methods containing compounds of formula (IX), classified in Class 514, subclasses 315, 365, 385, 396, 408, 421, 432, 446, 451 and 888.

Group II: Claims 2, 6-53 and 55, drawn to compositions and methods containing compounds of formula (X), classified in Class 514, subclasses 315, 365, 385, 396, 408, 421, 432, 446, 451 and 888.

Group III: Claim 54, drawn to compositions named in Table 6, classified in Class 544, subclasses various.

Election

Applicants provisionally elect, with traverse, the invention of Group I, Claims 1, 3-5, 10-53 and 55. The single species of Compound 5, Scheme 1, page 114, wherein R¹ is 2-ethyl-1-butyl (-CH₂CH(CH₂CH₃)₂) described at page 114, line 19, is provisionally elected for examination.

Traverse


Applicants respectfully traverse the restriction requirement. The Office has classified both Groups I and II in Class 514, subclass 315, 365, 385, 396, 408, 421, 432, 446, 451 and 888. Accordingly the Office has not met its burden of showing serious burden on the Examiner by demonstration of separate classification in the art as required by M.P.E.P. §803.

Applicants respectfully request withdrawal or modification of the restriction requirement.

Request for a Telephonic Interview

If the Examiner deems it useful, Applicants request, at the Examiner's convenience, a telephonic interview with Mark Bosse at (650) 572-6569 for the purpose of expediting the allowance of the present Application.

Respectfully submitted,



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Dated: 12/09/97